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*Attorneys for Choates G. Contracting, LLC, Chapter 11 Debtor-in-Possession*



Order Filed on September 14, 2022

by Clerk

U.S. Bankruptcy Court  
District of New Jersey

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY**

**IN RE:**

**Case No.: 21-13085-ABA**

**Choates G. Contracting, LLC**

**Chapter No.: 11**

**ORDER AUTHORIZING AND APPROVING SALE OF 122 DANTON LANE, MULICA HILL, NEW  
JERSEY 08062, AUTHORIZING DISTRIBUTION OF SALES PROCEEDS, VOIDING JUDGMENT OF  
TURN-KEY MANAGEMENT CORP., SUBJECT TO CONDITIONS**

The relief set forth on the following pages, numbered two (2) through five (5) is  
hereby **ORDERED**.

**DATED: September 14, 2022**

A handwritten signature in black ink, appearing to read "ABJ", written over a horizontal line.

Honorable Andrew B. Altenburg, Jr.  
United States Bankruptcy Court

This matter having come before the Court upon the motion of Choates G. Contracting, LLC, Debtor, for authorization and approval of the sale of real property located at 122 Danton Lane, Mullica Hill, New Jersey, and for related relief, and for good cause shown;

**SUBJECT TO THE CONDITIONS SET FORTH AT THE END OF THIS ORDER, IT IS HEREBY ORDERED AS FOLLOWS:**

1. Pursuant to 11 U.S.C. §363(b), the Debtor is authorized to sell real estate located at 122 Danton Lane, Mullica Hill, New Jersey 08062 (the 'Real Property') to Zerrick Balckom (the 'Purchaser') consistent with the terms set forth in the Contract attached as Exhibit C to the Motion.
2. The Court finds that the consideration provided by the Purchaser for the Real Property is fair and reasonable. The sale was negotiated, proposed and entered into by the Debtor and Purchaser without collusion and in good faith, "within the meaning of §363(f) of the Bankruptcy Code and In re Abbot's Dairies of Pennsylvania, Inc., 788 F.2d 142 (3d Cir. 1986)."

3. The Debtor is authorized to pay from the proceeds of the sale the funds necessary to satisfy all necessary and customary closing costs with respect to the sale.
4. The Debtor is authorized and empowered to execute any and all additional agreements as contemplated by the sale and to execute and deliver such additional instruments as may be necessary to consummate the sale.
5. The Debtor is authorized at closing to pay in full the first mortgage on the Real Property, held by US Bank, National Association, as Trustee for Velocity Commercial Capital Loan Trust 2019-02 and serviced by Nationstar Mortgage d/b/a Mr. Cooper (collectively, both the holder and servicer shall be referred to as 'Nationstar Mortgage' Nationstar Mortgage) (or their assignee or successor in interest).
6. The sale shall not be free and clear of the mortgage of Nationstar Mortgage until such time as Nationstar Mortgage receives a full payoff of its debt, pursuant to a written payoff statement issued by Nationstar Mortgage.
7. The Debtor is authorized at closing to pay in full the debt owed to Sunnova Management, LLC and secured by Solar Panels and associated equipment.

8. The sale shall not be free and clear of the security interest of Sunnova Management, LLC until Sunnova Management, LLC receives a full payoff of its debt.
9. The Debtor is authorized at closing to pay \$20,000 to Scott E. Braidwood, c/o The Vigilante Law Firm, 99 N. Main Street, Mullica Hill, NJ 08062. This sale shall not be free and clear of the Braidwood mortgage until such time as Braidwood receives the payment of \$20,000.
10. Thereafter, the 'Net Proceeds' (defined as gross sales price minus the payoff of Nationstar Mortgage, minus payoff to Sunnova Management, LLC, minus the payment to Scott E. Braidwood, minus customary closing costs), shall be disbursed as follows:
  - a. 80% to Philly Properties
  - b. 16% to Douglas Stanger, Sub-V Trustee; and
  - c. 4% to Choates G. Contracting, LLC
11. The United States Bankruptcy Court for the District of New Jersey shall continue to have jurisdiction to hear and resolve any and all disputes arising under the sale and consummation thereof.

12. The sale of the Real Property sale shall be free and clear of the following liens or interests:

Creditor	Description	Date Docketed/Recorded
Philly Properties GP, LLC	DJ-022480-2021	March 22, 2021
Turn-Key Management Corp.	DJ-181541-2021	December 7, 2021

13. The Docketed judgment of Turn-Key Management Corp. against the Debtor (DJ-022480-2021, docketed on December 7, 2021) following the commencement of this Chapter 11 case is deemed *void ab initio* as having been entered in violation of the automatic stay provided for in 11 U.S.C. §362(a).

**HOWEVER, THIS APPROVAL AND ALL OF THE TERMS AND CONDITIONS HEREIN  
ARE CONTINGENT UPON THE FOLLOWING TWO CONDITIONS BEING SATISFIED:**

- A.** A non-Debtor party paying \$30,000 to Scott E. Braidwood, c/o The Vigilante Law Firm, 99 N. Main Street, Mullica Hill, NJ 08062 on or before Friday, September 16, 2022; and
- B.** The Withdrawal of the Objections of Scott E. Braidwood (located at Docket No. 201 and Docket No. 203).

In re:  
Choates G. Contracting, LLC  
Debtor

Case No. 21-13085-ABA  
Chapter 11

## CERTIFICATE OF NOTICE

District/off: 0312-1  
Date Rcvd: Sep 14, 2022

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 3

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 16, 2022:

Recip ID	Recipient Name and Address
db	+ Choates G. Contracting, LLC, 122 Danton Lane, Mullica Hill, NJ 08062-4733
aty	+ Bradley K. Sclar, Five Greentree Centre, Suite 104, 525 Route 73 North, Marlton, NJ 08053-3422
aty	+ McDowell Law PC, 46 West Main Street, Maple Shade, NJ 08052-2432

TOTAL: 3

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 16, 2022

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 14, 2022 at the address(es) listed below:

Name	Email Address
Brad V Shuttleworth	on behalf of Unknown Role Type Turn-Key Management Corp. brad@shuttleworth-law.com
Daniel L Reinganum	on behalf of Plaintiff Choates G. Contracting LLC DanielR@McDowellLegal.com, tcuccuini@mcdowelllegal.com;Lwood@mcdowelllegal.com;kgresh@mcdowelllegal.com;kbrocious@mcdowelllegal.com;djamis on@mcdowelllegal.com;cgetz@mcdowelllegal.com;reinganumdr62202@notify.bestcase.com
Daniel L Reinganum	on behalf of Debtor Choates G. Contracting LLC DanielR@McDowellLegal.com, tcuccuini@mcdowelllegal.com;Lwood@mcdowelllegal.com;kgresh@mcdowelllegal.com;kbrocious@mcdowelllegal.com;djamis on@mcdowelllegal.com;cgetz@mcdowelllegal.com;reinganumdr62202@notify.bestcase.com
Denise E. Carlon	on behalf of Creditor MidFirst Bank dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com

District/off: 0312-1

User: admin

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Date Rcvd: Sep 14, 2022

Form ID: pdf903

Total Noticed: 3

Douglas S. Stanger

doug.stanger@flastergreenberg.com diana.janansky@flastergreenberg.com,dss@trustesolutions.net,cdss11@trustesolutions.net

Jacqueline M. Vigilante

on behalf of Interested Party Scott E. Braidwood jacci@thevigilantelawfirm.com

Jeffrey M. Sponder

on behalf of U.S. Trustee U.S. Trustee jeffrey.m.sponder@usdoj.gov jeffrey.m.sponder@usdoj.gov

Jessica Ann Berry

on behalf of Creditor BSI Financial Services as servicer for IRP Fund II Trust 2A bankruptcy@gmlaw.com

Kyle Francis Eingorn

on behalf of Interested Party COBA Inc. keingorn@dbblegal.com

Mark S. Haltzman

on behalf of Creditor Philly Properties GP LLC mhaltzman@sanddlawyers.com,  
kdaley@sanddlawyers.com;rchew@sanddlawyers.com

Mark S. Haltzman

on behalf of Creditor Drexel Properties GP LLC mhaltzman@sanddlawyers.com,  
kdaley@sanddlawyers.com;rchew@sanddlawyers.com

Pamela Elchert Thurmond

on behalf of Creditor LAW DEPT CITY OF PHILADELPHIA Pamela.Thurmond@phila.gov edelyne.jean-baptiste@phila.gov

Steven P. Kelly

on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION skelly@sterneisenberg.com bkecf@sterneisenberg.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

William Carl Katz

on behalf of Creditor Drexel Properties GP LLC wkatz@sanddlawyers.com,  
kdaley@sanddlawyers.com;rchew@sanddlawyers.com

William Carl Katz

on behalf of Creditor Philly Properties GP LLC wkatz@sanddlawyers.com,  
kdaley@sanddlawyers.com;rchew@sanddlawyers.com

TOTAL: 16